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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,466	05/07/2004	Chun-Chien Chen	13005-US-PA	3465
31561	7590	05/10/2007		
JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE 7 FLOOR-1, NO. 100 ROOSEVELT ROAD, SECTION 2 TAIPEI, 100 TAIWAN			EXAMINER GUIDOTTI, LAURA COLE	
			ART UNIT 1744	PAPER NUMBER
			NOTIFICATION DATE 05/10/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/709,466	CHEN ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Laura C. Guidotti	1744	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 07 May 2004.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-20 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 07 May 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: "430a" (Figure 3). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 9 and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear to the Examiner as to what is meant by "the erasing tape is fabricated using a dust-proofing cloth material" (recited in each of claims 9 and 20). Is

the erasing tape free from dust/dust-proof/dust-free material? Or is the tape *fabricated using* such a cloth material. It is unclear as to what is meant.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5-14, and 16-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Wright et al., US 6,695,917.

Wright et al. disclose the claimed invention including a device comprising a base (22), a transmission mechanism set up on the base (36; Figure 2), a first erasing device set up on the transmission mechanism (14), and a positioning platform set up on the base (24), wherein the transmission mechanism drives the first erasing device (Column 6 Lines 13-26). Regarding claims 2 and 13, the erasing device comprises a tape supply module (18), a tape collect module (20), and an erasing head module set up between the tape supply module and the tape collect module (14a, 14b; Figure 1), wherein the tape supply module provides an erasing tape to the erasing head module and the tape collect module receives the used erasing tape from the erasing head module (Column 4 Lines 23-25, Column 6 Lines 4-5). Regarding claims 3 and 14, the tape supply module (18) further comprises a tape supply mechanism (payout roller 32 or alignment rollers 34) and a first set of idle wheels set up between the erasing head module and the tape

supply mechanism (28). Regarding claims 5 and 16, the first erasing device further comprises an erasing head transmission mechanism (52; Column 7 Lines 15-25).

Regarding claims 6 and 17, the first erasing device further comprises an erasing liquid supply module (40) connected to the erasing head module (Column 7 Lines 7-14).

Regarding claims 7 and 18, the erasing head module further comprises an erasing liquid supply pass connected to the erasing liquid supply module (pass extends from 48 to 40, Column 7 Lines 7-14). Regarding claims 8 and 19, the first erasing device further comprises at least an optical sensor set up along the transmission pathway of the erasing tape (38; Figure 4). Regarding claims 9 and 20, the erasing tape (12) is fabricated using a "dust-proofing" cloth material (such as felt is capable of being a dust-proofing cloth material, Column 5 Line 59). Regarding claims 10-11, the positioning platform further comprises a positioning mechanism (or in other words a positioning platform transmission mechanism connected to the positioning platform) (R; Column 5 Lines 10-26). Regarding claim 12, there is a second erasing device set up on the transmission mechanism of the erasing device (if 14a and 14b are considered as two separate erasing devices).

4. Claims 1-5, 9-11, 13-16, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Fujiwara et al., US 2004/0103491.

Fujiwara et al. disclose the claimed invention including a device comprising a base (155), a transmission mechanism set up on the base (includes 151, 153, 151a, 151b, 151c, 152; paragraph 134), a first erasing device set up on the transmission mechanism (101), and a positioning platform set up on the base (150), wherein the

transmission mechanism drives the first erasing device (paragraph 134). Regarding claims 2 and 13, the erasing device comprises a tape supply module (30), a tape collect module (31), and an erasing head module set up between the tape supply module and the tape collect module (2a or 20), wherein the tape supply module provides an erasing tape to the erasing head module and the tape collect module receives the used erasing tape from the erasing head module (paragraph 71). Regarding claims 3 and 14, the tape supply module (30) further comprises a tape supply mechanism (44) and a first set of idle wheels set up between the erasing head module and the tape supply mechanism (36; Figures 3a-3b). Regarding claims 4 and 15, the tape collect module further comprises a tape collect mechanism (34) and a second set of idle wheels set up between the erasing head module and the tape collect mechanism (also 36; Figures 3a-3b). Regarding claims 5 and 16, the first erasing device further comprises an erasing head transmission mechanism (50). Regarding claims 9 and 20, the erasing tape (12) is fabricated using a "dust-proofing" cloth material (such as extra fine denier fiber, polyester, or nylon is capable of being a dust-proofing cloth material, paragraph 63). Regarding claims 10-11, the positioning platform (150) further comprises a positioning mechanism (or in other words a positioning platform transmission mechanism connected to the positioning platform) (such as 152; paragraph 134).

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura C. Guidotti whose telephone number is (571) 272-

Art Unit: 1744

1272. The examiner can normally be reached on Monday-Thursday, 7:30am - 5pm, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gladys Corcoran can be reached on (571) 272-1214. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Laura C Guidotti*  
Laura C Guidotti  
Patent Examiner  
Art Unit 1744

lcg